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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/615,683	07/14/2000	James A. Stockman	4554/87215	6981
22910	7590	03/17/2003	EXAMINER	
BANNER & WITCOFF, LTD. 28 STATE STREET 28th FLOOR BOSTON, MA 02109			ART UNIT	PAPER NUMBER

DATE MAILED: 03/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notification of Non-Compliance
With 37 CFR 1.192(c)**

Application No.

09/615,683

Applicant(s)

STOCKMAN, JAMES A.

P.R.

Examiner

Stephen K. Cronin

Art Unit

3727

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 16 December 2002 is defective for failure to comply with one or more provisions of 37 CFR 1.192(c). See MPEP § 1206.

To avoid dismissal of the appeal, applicant must file IN TRIPPLICATE a complete new brief in compliance with 37 CFR 1.192 (c) within the longest of any of the following three TIME PERIODS: (1)ONE MONTH or THIRTY DAYS from the mailing date of this Notification, whichever is longer; (2) TWO MONTHS from the date of the notice of appeal; or (3) within the period for reply to the action from which this appeal was taken. EXTENTIONS OF THESE TIME PERIODS MAY BE GRANTED UNDER 37 CFR 1.136.

1. The brief does not contain the items required under 37 CFR 1.192(c), or the items are not under the proper heading or in the proper order.
2. The brief does not contain a statement of the status of all claims, pending or cancelled, or does not identify the appealed claims (37 CFR 1.192(c)(3)).
3. At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 1.192(c)(4)).
4. The brief does not contain a concise explanation of the claimed invention, referring to the specification by page and line number and to the drawing, if any, by reference characters (37 CFR 1.192(c)(5)).
5. The brief does not contain a concise statement of the issues presented for review (37 CFR 1.192(c)(6)).
6. A single ground of rejection has been applied to two or more claims in this application, and
 - (a) the brief omits the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet presents arguments in support thereof in the argument section of the brief.
 - (b) the brief includes the statement required by 37 CFR 1.192(c) (7) that one or more claims do not stand or fall together, yet does not present arguments in support thereof in the argument section of the brief.
7. The brief does not present an argument under a separate heading for each issue on appeal (37 CFR 1.192(c)(8)).
8. The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 1.192(c)(9)).
9. Other (including any explanation in support of the above items):

Appellant states that all of the claims are separately patentable, but fails to set forth arguments how each claim overcomes the rejections set forth against it. Specifically in regards to the rejection of claims 1-23 set forth under 35 USC 112 1st paragraph, applicant has failed to argue claims 1-23 separately. In regards to the rejection of claims 1-23 set forth under 35 USC 112 2nd paragraph, claims 1 and 18 only are argued. In regards to the rejection of claims 1,2,4-6,9,10,12,19 and 23 under 35 USC 102(b), claims 2,4-6,9,10,12,19 and 23 are not argued separately. In regards to the rejection of claims 3,11 and 20 under 35 USC 103(a), claims 11 and 20 have not been argued separately. In regards to the rejection of claims 7,8,13,14,16 and 23 under 35 USC 103(a), none of these claims have been argued. In regards to the rejection of claims 17 and 22 under 35 USC 103(a), the claims have not been argued separately.


Stephen K. Cronin
Primary Examiner
Art Unit: 3727